NOV 2003

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

MARCELA OLVERA-MORALES, ON	§	
BEHALF OF HERSELF AND ALL OTHERS	_	
	§	
SIMILARLY SITUATED,	§	
	§	
Plaintiffs,	§	Civil Action No.:
	§	02-CV-1589(NAM-GLS)
· v .	§	
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STERLING ONIONS, INC.; ZAPPALA	§	SUPPLEMENTAL
FARMS, LLC; ZAPPALA HOLDING	§	AFFIDAVIT OF
COMPANY, LLC; ZAPPALA ENTERPRISES,	§	JORGE DEL ALAMO
INC.; JAMES ZAPPALA; INTERNATIONAL	§	
LABOR MANAGEMENT CORPORATION,	§	
INC.; NORTH CAROLINA GROWERS'	§	
ASSOCIATION, INC.; and DEL-AL	§	
ASSOCIATES, INC.,	š	
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Defendants.	8	
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BEFORE ME, the undersigned notary public, on this day personally appeared **JORGE DEL**ALAMO, who being by me duly sworn on this oath stated that he is authorized in all respects to make this Supplemental Affidavit, and that every statement contained in this Affidavit is within his personal knowledge, true and correct:

- My name is Jorge Del Alamo and I am President of Del-Al Associates, Inc. ("Del-Al").
- 2. In addition to the Del-Al business card given to Marcela Olvera-Morales on or before July 27, 1999 (referenced in paragraph 5 of my first Affidavit attached to Del-Al's Motion to Dismiss and Motion for Summary Judgment) additional documents were given to Marcela Olvera-Morales indicating the existence of Del-Al. Specifically, a cash receipt was given to Marcela Olvera-Morales on or before July 27, 1999 confirming that she paid \$81.00 to "Del-Al" for its services in arranging her crossing from Mexico into the United States as a temporary laborer. The name "Del-Al" is printed on this receipt (and this receipt was last in the possession, custody or control of Marcela Olvera-Morales).
- 3. On the reverse side of the Del-Al business card given to Marcela Olvera-Morales, the \$81.00 paid to Del-Al is indicated as "81 Sr Jorge". "81" is an obvious reference to the \$81.00 paid by Marcela Olvera-Morales since the other figures on the card indicate payment for other purposes (such as \$100.00 paid for her visa). "Sr Jorge" is an abbreviation for "Seffor Jorge" in Spanish which, in English, is translated as "Mr. Jorge" i.e., Mr. Jorge Del Alamo.
- The last time that *any* agent, servant, representative or employee of Del-Al, or any independent contractor utilized by Del-Al, saw, spoke with, gave anything to, or received anything from Marcela Olvera-Morales was *before* she crossed into the United States from Mexico on July 27, 1999. Accordingly, no one employed by, or associated with, Del-Al had any contact with Marcela Olvera-Morales whatsoever after she crossed the border from Mexico into the United States on July 27, 1999.

JORGE DEL ALAMO

SUBSCRIBED and SWORN TO before me on the day of November 2003

Notary Public, State of Virginia

Expires on:

4545-003/#251867